

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Jeffrey L.) Application No. 911-020/DC-73
Pursley, Director of the)
Nebraska Telephone)
Infrastructure and Public Safety)
Department of the Nebraska)
Public Service Commission,)
)
Complainant,)
v.) ORDER TO SHOW CAUSE
)
)
Budget Phone, Inc. d/b/a Budget)
PrePay; BullsEye Telecom, Inc.;)
Excel; Ionex Communications)
North, Inc. a/k/a Birch Telecom,)
Inc.; MCImetro Access)
Transmission Services, LLC; NOS)
Communications, Inc.; Orbit.com;)
Vartec,) Entered: June 27, 2006
Respondents(s).)

BY THE COMMISSION:

On June 27, 2006, Jeff Pursley, Director of the Nebraska Telephone Infrastructure and Public Safety Department (Complainant) filed a complaint against the above-captioned Respondents alleging violation of Neb. Rev. Stat. § 86-437 (Cum. Supp. 2004). Complainant alleges that the Respondents failed to timely file information with the Commission regarding 911 and Enhanced 911 as required by § 86-437(2) by April 30, 2006. Complainant seeks an order assessing administrative fines and ordering Respondents to comply with the reporting requirements.

The Commission finds that a copy of the complaint and this order shall be mailed to each Respondent via certified mail.

The Respondents are service suppliers as defined by Neb. Rev. Stat. § 86-432 (Cum. Supp. 2004) and subject to Commission rules and regulations.

The Commission further finds that Respondents should be ordered to show cause as to why administrative fines should not be assessed and an order should not be entered requiring their compliance with § 86-437. Furthermore, the Commission finds that a hearing should be scheduled on this matter.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that each respondent is ordered to show cause as to why administrative fines should not be assessed and an order entered requiring compliance with Neb. Rev. Stat. § 86-437 (Cum. Supp. 2004).

IT IS FURTHER ORDERED that a copy of the complaint and this order shall be mailed to each Respondent via certified mail.

IT IS FINALLY ORDERED that hearing on this matter is scheduled for **August 15, 2006**, at **1:30 p.m.** at the Commission Hearing Room, 1200 N Street, Suite 300, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of June, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director